

Remarks

Claim Amendments

Claim 1 has been amended to recite a tire having a polyester cord with first and second polyepoxides disposed on the untwisted yarns and on the twisted cord, respectively.

Applicants urge that the amendments are fully supported by the specification as filed.

Rejections under 35 U.S.C. Section 103

The claims stand rejected under 35 U.S.C. Section 103 (a) as being unpatentable variously over Kawabata in view of Boon (U.S. Patent No. 4,356,219; hereinafter "Boon"), Toyoda, and Watanabe (claims 1 through 4, 6 through 13, 17, 19, and 21); over Kawabata in view of Boon, Toyoda, Watanabe, and Hayashi (claim 5); over Nguyen (U.S. Patent No. 6,338,374) in view of Boon, Toyoda, and Watanabe (claims 1 through 4, 6 through 13, 16, 18, and 20); and over Nguyen, Boon, Toyoda, Watanabe, and Hayashi (claim 5). To the extent that the amended claims are deemed unpatentable over the cited art, these rejections are traversed.

Applicants note first that claim 1 has been amended so that the claim is no longer in "product by process" form.

Applicants repeat the arguments present in the previously mailed responses of record and deny the existence of prima facie obviousness of the claims.

Applicants herewith submit a declaration under 37 CFR 1.132 (Donckels Declaration) by Yves Donckels, a co-inventor of the present invention. Applicants urge that the declaration of Mr. Donckels provides clear evidence of unexpected results, and is sufficient to rebut the obviousness rejections of the claims.

Mr. Donckels provides evidence of his background as an engineer and inventor that he is one of at least ordinary skill in the art (Donckels Declaration, Paragraph 1). As such, Applicants urge that Mr. Donckels is clearly qualified as one of ordinary skill to determine the unexpectedness of the presented results.

Mr. Donckels continues that a series of sample run flat tires were prepared and tested following the recipes and testing protocols described (Donckels Declaration, Paragraphs 2 and 3). In summary as shown in Table A, control Sample 1 comprised a polyester cord that included non-adhesive activated yarns dipped in RFL/isocyanate/polyepoxide mixture after twisting the yarns into cord. Control Sample 2 comprised adhesive activated yarns dipped in RFL /isocyanate mixture after twisting the yarns into cord. Inventive Sample 3 comprised adhesive activated yarns dipped in polyepoxide after twist into cord, followed by dipping in an RFL/isocyanate mixture. Thus inventive Sample 3 represents the case wherein first polyepoxide is applied to the polyester yarns before twist (as adhesive activation) and a second polyepoxide is applied after twist of the yarns, as recited in the claims. Sample 1 represents the control wherein polyepoxide is applied only after twist of the yarns, and Sample 2 represents the control wherein the polyepoxide is applied only before twist of the yarns (as adhesive activation).

Mr. Donckels notes that the run flat performance of Sample 3 comprising the polyepoxides applied both before and after twist of the polyester yarns was clearly superior to those of Samples 1 and 2 (Donckels Declaration, Paragraph 4). Mr. Donckels concludes that the properties of Sample 3 are surprisingly and unexpectedly superior to those of Samples 1 and 2 (Donckels Declaration, Paragraph 5).

Applicants urge that the showing of unexpected and surprising results by Mr. Donckels is sufficient to refute the Examiner's rejection of the claims as obvious over the cited art. Applicants respectfully request that the Examiner withdraw these rejections.

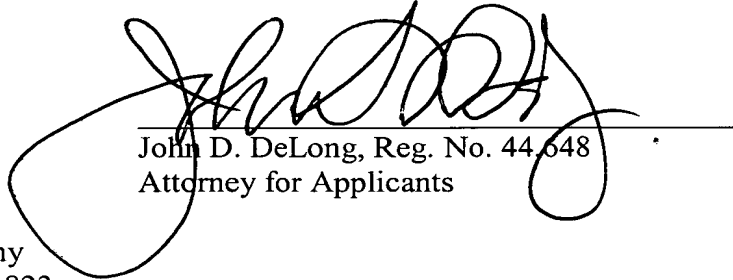
Double Patenting

The claims have been rejected under nonstatutory obviousness-type double patenting in view of copending 10/768,301. A terminal disclaimer is enclosed to overcome this rejection.

Conclusion

For all of the foregoing reasons, Applicant urge that the claims are patentable over the cited art. Applicants respectfully request that the Examiner issue a notice of allowance for all claims.

Respectfully submitted,



John D. DeLong, Reg. No. 44,648
Attorney for Applicants

The Goodyear Tire & Rubber Company
Intellectual Property Law Department 823
1144 East Market Street
Akron, Ohio 44316-0001
Telephone: (330) 796-8757